

**Statement**

**Of**

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**Before**

**the**

**Committee on Homeland Security  
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Chairman King, Ranking Member Pascrell, and Members of the Committee, my name is Tim Beres, and I serve as Director of the Preparedness Programs Division within the Office of State and Local Government Coordination and Preparedness' Office for Domestic Preparedness (ODP). The Preparedness Programs Division includes a Transportation Infrastructure Security Division, which administers a number of programs specifically designed to enhance transit and passenger rail security. I am pleased to appear before you today to discuss our efforts to secure our Nation's transit and passenger rail systems.

ODP has provided significant support to our Nation's emergency prevention and response community since its establishment in 1998. As a component of the Office of State and Local Government Coordination and Preparedness, ODP's mission is to provide assistance and support to our State and local emergency prevention and response partners. We achieve this objective through financial assistance programs, including the State Homeland Security Grant Program and the Urban Areas Security Initiative (UASI), as well as the Law Enforcement Terrorism Prevention Program. Our role is much broader, though, than providing financial assistance. We also administer training, exercise and technical assistance programs. A number of these programs directly support prevention and preparedness activities related to rail and mass transit systems. To be sure, our role is part of a larger Federal effort to secure our Nation's various transportation systems, including aviation security, maritime security and surface transportation security.

### **Financial Assistance Programs**

Since the tragic events of September 11, 2001, the Department of Homeland Security has awarded more than \$250 million in grants specifically for transit security. In FY 2003, under the UASI Transit System Security Grant Program, ODP awarded \$67.8 million to nineteen transit systems for security enhancements. Funding allocation decisions were based solely on ridership, which at the time was the only reliable risk factor. In FY 2004, ODP provided an additional \$49.7 million to twenty-five major transit systems for security enhancements under the UASI. For these funds, the Department added the additional criteria of track mileage to ridership to make final funding allocations.

In recognition of the need to secure our Nation's critical infrastructure sector, including mass transit and the transportation systems, the Administration proposed consolidating multiple stove-piped programs (Port Security, Rail/Transit Security, Intercity Bus, Trucking Industry Security and Buffer Zone Protection) into a Targeted Infrastructure Protection Program (TIPP). The request included \$600 million for TIPP, which would allow the Department the flexibility to allocate preparedness grants to the highest risk infrastructure sites, including to our high risk transit operations, based upon the most recent threat information, rather than attempting to create numerous specific programs with a level of funding that may prove to be too little or too much given the risk environment.

ODP recently announced an additional amount of more than \$134 million under the FY 2005 Transit Security Grant Program (TSGP). The overarching goal of this program is to create a sustainable, risk-based effort for the protection of regional transit systems and the commuting public from terrorism, especially explosives and non-conventional threats that would cause major loss of life and severe disruption. This year's program also places a strong emphasis on

prevention and detection relative to improvised explosive devices (IEDs), as well as chemical, biological, radiological, and nuclear agents. Of the \$134 million, \$107,900,000 was awarded for security enhancement for rail transit systems; \$22,357,076 for security enhancements for intra-city bus systems; and \$3,887,161 for ferry systems security.

Under the FY 2005 TSGP program, the Department distributed rail security funds using a more robust risk-based formula. The formula for rail transit funding was based on several factors, including ridership, track mileage, the number of stations, and threat, as well as service to a defined UASI jurisdiction. Likewise, the formula for intra-city bus funding was based on ridership and location within a UASI jurisdiction. The funds dedicated to ferry system security were distributed through a competitive process, but eligible applicants were determined based on ridership and a location within a UASI jurisdiction.

Throughout the program development and application process, ODP has worked closely with a number of governmental and non-governmental agencies to ensure an appropriate level of subject matter expertise and to solicit feedback from our Federal, State and industry partners. We have worked collaboratively with several DHS agencies, including officials from the Transportation Security Administration (TSA), the Information Analysis and Infrastructure Protection Directorate (IAIP), the United States Coast Guard (USCG), and the Science and Technology Directorate (S&T), as well as the Department of Transportation's Federal Transit Administration (FTA) and Federal Railroad Administration (FRA). We have also worked closely with State transportation officials from New Jersey, New York, and Washington, DC, and with industry groups, including the Association of American Railroads and the American Public Transportation Association.

Further, a major focus of the FY 2005 TSGP is to establish and sustain a risk-based, regional planning process to ensure that transportation security priorities are addressed in a systematic, risk-based manner. To this end, a key enhancement to the FY 2005 TSGP is the requirement that transit agencies receiving funds through the program work with the states, urban areas and other transit systems in their defined region to develop a Regional Transit Security Strategy (RTSS). As the owners and/or operators of infrastructure that is vital to the well being of the states and urban areas they serve, it is imperative that transit system security efforts be incorporated into, and reflective of, regional preparedness planning efforts.

Transit systems selected for funding under the FY 2005 TSGP must conduct a risk assessment and use this data to create a Security and Emergency Preparedness Plan (SEPP) that specifically identifies how the transit agency intends to address any shortfall in IED or other prevention, detection, and response capabilities identified in the needs assessment. In addition, the transit agencies eligible for the FY 2005 TSGP must also participate in a Regional Transit Security Working Group (RTSWG) for the purpose of developing the RTSS. The RTSS – or Regional Transit Security Strategy – is intended to integrate individual agency needs into a regional perspective in order to holistically address identified transportation security vulnerabilities. The Department requires that all working groups include representation from the applicable state(s) and urban area(s) served by the transit systems receiving funds, and it is strongly recommended that other transit agencies not eligible to receive funds through the FY 2005 TSGP, but whose systems intersect with those of the grant recipients, also participate in the RTSWG process. In

addition, for transit systems whose operations intersect with those of Amtrak in the Northeast Corridor and in Chicago, a representative of Amtrak must be included in the RTSWG, and close coordination with Amtrak on the expenditure of funds for security enhancements at shared facilities must occur.

It is the Department's intent that that RTSS serve as the integration point between the individual, risk-based SEPPs, and the overall security goals and objectives of the region. Therefore, the RTSS must demonstrate a clear linkage to the applicable state and urban area homeland security strategies developed or currently being revised. The SEPPs and the RTSS will serve as the basis on which funding is allocated to address regional transit security priorities, and the vehicle through which transit agencies may justify and access other funding and resources available on a region-wide basis through the UASI program. The RTSS should identify the overall vision of regional transit preparedness with specific goals and objectives essential to achieving the vision. The RTSS will serve as an overarching strategy for the region with mode-specific goals and objectives as they relate to Planning, Organization, Equipment, Training, and Exercises (POETE). Given the focus of this year's program, each RTSS must also specifically address current and required detection and response capabilities relative to IEDs, as well as chemical, biological, radiological, and nuclear prevention, detection and response capabilities, and the actions necessary to address any gaps. In a similar fashion, our FY 2005 Homeland Security Grant Program application kit and guidance requires each jurisdiction to conduct one FSE utilizing an IED. We are strongly encouraging States to incorporate a mass transit component into the exercise scenario.

ODP will work with an interagency Strategy Review Board (SRB) consisting of representatives from DHS Directorates and Offices (such as IAIP, TSA, and USCG), and representatives of other federal agencies (such as the FTA) to evaluate the strategies and make recommendations for approval or enhancement. Further, as the expenditure of funds is tied to approval of the strategies, ODP has set a goal of completing all review steps (including routing and approval notification) within 10 business days of receipt of the RTSS.

While the TSGP provides support and assistance to State, local, and in some cases, private companies, the FY 2005 Intercity Passenger Rail Security Grant Program provides funds and technical assistance to Amtrak for a risk assessment and security enhancements. Under this program, ODP awarded \$7.1 million to Amtrak. Of these funds, \$6,373,730 is for grants for security enhancements along Amtrak's Northeast Corridor and at its hub in Chicago, Illinois. These represent the most highly travel passenger routes in the Nation. An additional \$726,270 will be used to provide technical assistance in the development of a risk-based assessment of Amtrak's Northeast Corridor and Chicago area operations. This assessment will help Amtrak identify and prioritize needs for security countermeasures, emergency response capabilities, and management of security enhancements.

In order to promote the regionally-based approach to preparedness and security, the expenditure of these funds by Amtrak is contingent upon having an updated Security and Emergency Preparedness Plan, which is a comprehensive plan that provides written policies and procedures to guide activities for homeland security and emergency preparedness. Amtrak must also coordinate its funding allocation decisions with the RTSSs being developed in the National

Capital Region, Philadelphia, New York, Boston, and Chicago. To facilitate this coordination, Amtrak is required to provide a representative to the Regional Transit Security Working Groups responsible for the development of the RTSS in these urban areas.

Further, it should be noted that since September 11, 2001, the Department has awarded more than \$8.3 billion in assistance through the State Homeland Security Grant Program and the UASI, of which funding can be applied to the purchase of equipment for the prevention and detection of attacks on transit systems. These funds can also be used to support exercises that test State and local emergency prevention and response to terrorist events, as well as training designed to develop proficiency in preventing and responding to terrorist acts. Data from the FY 2004 Biannual Strategy Implementation Report, which captures how States are spending their homeland security funds, indicate that 23 States directed more than \$34 million toward transit-related security projects. Further, initial FY 2005 data from 39 States indicate that they plan to devote more than \$5.7 million for transit security-related projects.

Also, through the FY 2005 Buffer Zone Protection Program, the Department has made more than \$90 million available for the protection of critical infrastructure and key resources. Under this program, we know that States are eligible to receive more than \$5 million to assist in enhancing security at 102 sites in the transportation sector.

The 103 sites in the transportation sector can be further broken down as follows:

- Bridges: 47 sites
- Busing: 2 sites
- Ferries: 4 sites
- Railways: 18 sites
- Tunnels: 11 sites
- Mass Transit (subways): 21 sites

The BZPP funds will greatly enhance preparedness and protection efforts at our Nation's most critical infrastructure and key resources, including those within the Nation's transportation system.

### **Technical Assistance**

In addition to providing financial assistance, ODP also provides extensive technical assistance (TA) to ensure that States and localities can more effectively develop their security programs and expend Federal homeland security resources in an effective manner. Technical assistance is a process of providing help to resolve a problem and/or create innovative approaches to prevention, response, and recovery. TA seeks to provide state and local jurisdictions with assistance that can accomplish one or more of the following objectives: identify a problem; address an identified problem; address items in a corrective action plan (CAP) from a completed exercise; and, fill "gaps" between equipment, training and exercise programs.

TA deliveries may take a variety of forms that can be combined or modified to meet the specific needs of each requesting state/local jurisdiction. As part of its overall effort in this area, ODP

has developed a Mass Transit TA Program to specifically address the unique security challenges facing transit systems.

To support the FY 2005 TSGP, ODP is providing TA designed to assist states, urban areas and eligible transit systems organize and form their RTSWGs, develop their RTSS and effectively manage the implementation of the strategy through the FY 2005 TSGP and other available resources. This assistance includes workshops and a facilitated strategy development session.

In addition, for those transit systems that need assistance in conducting the required system-wide risk assessment necessary for development of the SEPP, ODP's Mass Transit TA program also offers an ODP Technical Assistance Team to support the agency with a risk-based prioritization assessment. The overall risk assessment process includes implementing the ODP Special Needs Jurisdiction Tool Kit, which allows mass transit agencies to identify and prioritize security countermeasures and emergency response capability needs based on terrorist threats and relative risk as determined by both national and local authorities. This process enables agencies to:

1. Prioritize security countermeasures and emergency response capability needs based on terrorist threats and risk;
2. Develop a road map for future mass transit agency funding allocations for terrorist attack risk reduction; and,
3. Prepare for future Federal funding requirements.

To date, ODP has completed comprehensive risk assessment deliveries for seven (7) major transit systems, including the Port Authority of New York and New Jersey, New Jersey Transit, the Washington Metropolitan Area Transit Authority, and the Massachusetts Bay Transportation Authority. ODP is currently providing this assistance to an additional twelve (12) agencies, including the Chicago Transit Authority (CTA).

In addition, lessons learned from its application nationwide are being used to identify other areas of needs and drive the development of additional assistance programs through a spiral development process. For example, ODP is currently piloting a new TA program with New Jersey Transit, a major transit system in the Northeast. Once fielded, this program will assist transit agencies with development of continuity of operations plans, a major area of need identified in the risk assessments conducted to date.

#### **Exercises:**

From March 2004 through November 2005, ODP will have supported 11 exercises involving mass transit systems. Of these, ODP provided direct support in either the planning or the execution for eight of the exercises. The remaining three exercises were conducted with the State's Department of Homeland Security funds. These exercises have been conducted in a number of locations across the country, including the NCR and New York City.

All exercises were conducted using the Homeland Security Exercise and Evaluation Program (HSEEP). ODP has implemented the HSEEP to provide a means to assess terrorism prevention, response, and recovery capabilities at the Federal, State, and local levels. HSEEP is a threat- and performance-based exercise program that provides common doctrine and policy for the planning, conduct, and evaluation of exercises. In an attempt to standardize the language and concepts that have been adopted and utilized by various agencies and organizations in the exercise planning process, the HSEEP doctrine was designed to ensure consistent use of standard terminology and processes throughout all exercises.

For example, in September 2004, a Command Post Exercise (CPX) was conducted, which simulated multiple terrorist bombing attacks, a bubonic plague outbreak, extreme heat, and rolling blackouts. The CPX was held at more than thirty command centers and involved hundreds of command personnel throughout the NCR. The exercise involved 700 players and 350 observers, including Federal, State, and local agencies. Participating Federal agencies included the FBI, the Federal Protective Service, the Pentagon Force Protection Agency, the U.S. Capitol Police, and the U.S. Supreme Court Police. The DC, Virginia, and Maryland Emergency Management Agencies were involved, as well as the DC Metropolitan Police Department. Additionally, surrounding counties from Virginia and Maryland were involved. In addition to these Federal, State and local agencies, Baltimore Gas & Electric, Dominion Virginia Power, and the Washington Metropolitan Area Transit Authority participated in this exercise. The participants' actions were guided by NCR CPX guidance procedures, participating agencies' plans, policies, and procedures, and ODP's HSEEP guidelines.

In New York City, ODP provided direct support for the Operation Transit SAFE Full-Scale Exercise in May 2004. This simulated terrorist scenario involved the detonation of two explosive devices, each placed in a small backpack on northbound and southbound Metropolitan Transportation Authority (MTA) subway trains at the Bowling Green Station in lower Manhattan. Over 500 responders participated, including local EMS providers and medical centers. In addition to multiple New York City agencies, the FBI, the Greater New York Chapter of the American Red Cross, the Salvation Army, and Con Edison participated as well. The participants' actions were guided by the Operation SAFE Planning Team, emergency operations plans, the New York City Office of Emergency Management, and ODP's HSEEP guidance.

ODP is currently working with FTA and TSA to examine ways to leverage exercise programs already developed and funded by these agencies, and to ensure coordination of our efforts.

### **Training:**

Among the preeminent needs of the emergency prevention and response community is training. Through a number of different course levels (awareness, operations, planning, and management) as well as delivery methods (classroom, web instruction, etc.), ODP offers a wide array of courses for a broad spectrum of public safety disciplines.

To meet these needs, the Training Division offers fifty planning, response, and incident management courses specific to the disciplines that would respond to transit/rail incidents as part of a larger WMD/terrorism curriculum. These courses build the foundation for all types of

responses whether man-made or natural. Examples of these are: Incident Response to Terrorist Bombings (awareness level); Incident Response to Terrorist Bombings (operations level); and Prevention of and Response to Suicide Bombing Incidents. These courses are designed to prepare emergency responders to perform effectively and safely during bombing incidents at all locations of an incident scene. The courses include detailed instruction on IEDs, explosive materials, and explosive effects, and comprehensive training on critical response actions during pre- and post-detonation operations. Extensive field training, including explosives effects demonstrations, are included.

In addition, these courses address actions that emergency responders can take to prevent and/or deter terrorist attacks involving energetic materials. All of these courses include train-the-trainer programs to assist in sustaining and multiplying the effectiveness of deliveries throughout the nation. These examples are offered to multiple disciplines [Law Enforcement (including Transit Police), Emergency Medical Services, Fire Service, HazMat, Public Works, and public Safety Communications]. In addition, ODP, in partnership with the Federal Law Enforcement Training Center (FLETC), is developing a suite of Intelligence training courses for state and local responders. This suite of courses will present information to include intelligence gathering, the intelligence process (including data mining), types of intelligence, channels of communication, intelligence networks, and security of information and documentation of intelligence information.

In FY 2004, building upon its existing capacity and capability, ODP awarded more than \$33 million under the Competitive Training Grant Program (CTGP). Fourteen training programs were selected through a competitive, peer-panel review process which identified innovative training programs to address six issue areas designated by ODP as areas for increased attention. These areas were identified based on a trend analysis of the State Homeland Security Strategies submitted to ODP earlier in FY 2004. This analysis sought to identify shared training gaps among the 56 U.S. States and Territories.

One of these awards was for the Los Angeles County Metropolitan Transportation Authority (MTA). Under this award, MTA, in conjunction with the American Public Transportation Association (APTA), is developing a turn-key curriculum for private and non-sworn transportation security staff to prevent and respond to acts of terrorism involving Weapons of Mass Destruction. Examples of specific topic areas within the curriculum are: Principles of Security and Counter-Terrorism in Public Transportation; Physical Security in Public Transportation; Security Surveillance in Public Transportation; and Threat Analysis, Assessment, and Identification. The MTA project is an example of coordination, uniting county supervisors, elected officials, the LA Sheriff's Department, and union representation behind the common goal of enhanced terrorism prevention and preparedness specifically for mass transit security. Once completed, this curriculum will be distributed nationwide through APTA and ODP to all state and local public transportation agencies.

In FY 2005, ODP issued a second Competitive Training Grant Program solicitation. Under the FY 2005 solicitation applicants again submitted proposals based on issue areas identified in State Homeland Security Strategies and more recently completed Initial Strategy Implementation Plans (ISIPs) provided by the States and territories. Of the six issue areas identified from the



State Strategies and ISIPs, one focused on transit security: Training to enhance the transit systems' (rail, bus, ferry) capacity to prevent and/or manage the consequences of terrorist attacks.

We are currently reviewing the findings and recommendations of the CTGP peer review panels held this month and plan to announce proposals selected for funding in the coming weeks. We will keep this Committee posted on these selections and provide additional information as it becomes available.

### **Citizen Corps:**

SLGCP's Citizen Corps program is engaging citizens in the transit safety and security of their community. The Washington, D.C. Metro Citizen Corps is one example of how this community effort can work. Transit police assigned to Washington D.C.'s subway system launched the Metro Citizen Corps on September 1, 2004. Metro Transit Police officers, Metro employees and a group of area residents who have already participated in specialized training within their local jurisdictions participate in day-long interactive coordination Train-the-Trainer sessions. The citizen trainers are known as area Community Emergency Response Team (CERT) coordinators and are from the District of Columbia, Virginia and Maryland. CERT, a Citizen Corps program partner, educates people about disaster preparedness for hazards that may impact their area and trains them in basic disaster response skills. Using the training learned in the classroom and during exercises, CERT members can assist others in their neighborhood or workplace following an event when professional responders are not immediately available to help.

The D.C. CERT program was the first regional partner to participate in the training. Through the program, Metro Transit Police train Metro Citizen Corps volunteers in a number of different areas, including rail safety, system evacuation routes, and tunnel walks. They also receive information on the location of emergency trip stations and how to access them in case of an emergency. Already more than 60 citizens, all regular commuters, have gone through the training.

SLGCP's Citizen Corps program is also exploring a nationwide partnership with the Department of Transportation's *Transit Watch* program. *Transit Watch* is a nationwide safety and security awareness program designed to encourage the active participation of transit passengers and employees in working together to maintain a safe transit environment. It provides information and instructions to transit passengers and employees to ensure that they know what to do and whom to contact in the event of an emergency in a transit setting. The *Transit Watch* Toolkit containing a downloadable CD, fact sheet and other materials is available at no-charge on the *Transit Watch* website at <http://transit-safety.volpe.dot.gov/Security/TransitWatch/default.asp>.

### **Conclusion:**

In closing, ODP has and will continue to provide significant resources and support to secure our Nation's passenger and transit systems. The system-wide plans under development will help identify and address key security needs to make our Nation's transit system safer and function effectively. The Department, working alongside our Federal, State, and non-governmental

partners, will continue our tireless efforts to ensure the safety of the commuting public and the transit sector.

Thank you for the opportunity to provide information on the important work that the Office for Domestic Preparedness is undertaking to secure our Nation's passenger and rail transit systems.